

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

JEFFREY R. NEWTON,

Plaintiff,

v.

CORIZON HEALTH SERVICES,  
INC.; CHATHAM COUNTY JAIL;  
JOHN DOE I; JOHN DOE II; and  
COL. GILBERT,

Defendants.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. CV414-246

**REPORT AND RECOMMENDATION**

Months ago, the Court directed plaintiff Jeffrey Newton to show cause why this case should not be dismissed for failing to serve defendants within Fed. R. Civ. P. 4(m)'s 120-day window. Doc. 11. Newton responded, stating that he thought the Court would serve defendants for him. Doc. 12 at 1. The Court granted Newton an additional 60 days -- until August 3, 2015 -- to effect service on defendants and warned him that he would face dismissal if he failed to comply. Doc. 13 at 3.

August 3, 2015 came and went with nary a word from Newton. He failed to comply with a Court order and, therefore, this case should be

dismissed without prejudice. *See* L.R. 41(b); *see Betty K Agencies, Ltd. v. M/V Monada*, 432 F.3d 1333, 1337 (11th Cir. 2005) (district courts may *sua sponte* dismiss an action pursuant to Fed. R. Civ. P. 41(b) if the plaintiff fails to comply with court rules or a court order); *Donaldson v. Clark*, 819 F.2d 1551, 1557 n. 6 (11th Cir.1987) (district court has inherent authority to sanction parties for “violations of procedural rules or court orders,” up to and including dismissals with prejudice).

**SO REPORTED AND RECOMMENDED**, this 11<sup>th</sup> day of August, 2015.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA